

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

COMMON CAUSE INDIANA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:12-CV-01603 RLY-DML
	)	
INDIANA SECRETARY OF STATE,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	

**Plaintiff's Response to Motion to Intervene by Christopher K. Starkey**

Plaintiff, by counsel, states that:

1. On May 2, 2013, Christopher Starkey filed his Motion to Intervene in this case pursuant to Rule 24(a)(2) of the Federal Rules of Civil Procedure.
2. It appears from the material filed by the proposed intervenor that he agrees with the substantive arguments made by Common Cause Indiana in this case but wishes this Court to issue preliminary injunctive relief addressed to the November 4, 2014, election.
3. Plaintiff takes no position on whether or not Mr. Starkey should be allowed to permissively intervene in this case pursuant to Rule 24(b) of the Federal Rules of Civil Procedure.
4. However, plaintiff does not believe that intervention as of right is appropriate pursuant to Rule 24(a)(2) inasmuch as plaintiff has filed for summary judgment in this case and the briefing schedule in this case has the final brief being filed on July 25, 2014, thus allowing final relief to be issued, in the event plaintiff prevails, in advance of the November election. It is plaintiff's understanding that this is the relief that Mr. Starkey seeks.

WHEREFORE, plaintiff files its reply to the motion to intervene filed by Christopher Starkey.

/s/ Kenneth J. Falk

Kenneth J. Falk  
No. 6777-49

/s/ Gavin M. Rose

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of May, 2013, a copy of the foregoing was filed electronically with the Clerk of this Court. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system and the parties may access this filing through the Court's system.

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/s/ Kenneth J. Falk

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